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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/621,230 | 07/15/2003 | Christopher W. Smith | 00-20a |

CONFIRMATION NO. 1203

30699

DAYCO PRODUCTS, LLC
 1 PRESTIGE PLACE
 MIAMISBURG, OH 45342

FORMALITIES LETTER

OC000000013302373

Date Mailed: 07/22/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

06/02/2004 HDEMKSS2 00000004 040375 10621230

FILED UNDER 37 CFR 1.53(b)

01 FCG:1051 \$130.00 DA

Filing Date Granted**Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130 Late oath or declaration Surcharge.**

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 1 - ATTORNEY/APPLICANT COPY



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :
Christopher W. Smith, et al. :
Serial No.: 10/621,230 :
Filed: July 15, 2003 :
For: LOW PERMEATION NYLON TUBE WITH :
ALUMINUM BARRIER LAYER :

RESPONSE

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

This is in response to the Patent and Trademark Office (PTO) NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION-FILING DATE GRANTED, mailed July 22, 2004 (copy attached). Accordingly, Applicant authorizes the Commissioner to charge the missing fees, outlined below, to Dayco Deposit Account 04-0375; and, encloses herewith the Declaration, Power of Attorney and Petition for the above-identified application that has been signed and dated by the inventor.

FEES:

The required surcharge of \$130.00 for filing missing parts, which is set forth in said Notice, is to be charged to Dayco Deposit Account No. 04-0375. Aside from the above, it is believed that no further fees are required. However, if through inadvertence, sufficient fees do not accompany this paper, please charge the Dayco Deposit Account No. 04-0375 for any missing fees that may be required so that this paper will be fully effective on the effective date thereof.

REMARKS:

In view of the above, it is believed that Applicants have complied with all requirements set forth in the Notice to File Missing Parts whereby it is respectfully requested that Applicants now be given an action on the merits of this application.

Respectfully submitted,

CHRISTOPHER W. SMITH, ET AL.

Joseph V. Tassone

Joseph V. Tassone, Reg. No. 20,998
Attorney for the Applicant
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Date: July 28, 2003
Phone: (937) 226-5725

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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TRANSMITTAL FORM

(to be used for all correspondence after Initial filing)

| | | | |
|--|---|------------------------|--------|
| Total Number of Pages in This Submission | 5 | Attorney Docket Number | 00-20a |
|--|---|------------------------|--------|

ENCLOSURES (Check all that apply)

| | | |
|---|---|--|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After-Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below): Declaration, Power of Attorney and Petition; Return Postcard |
| Remarks | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | |
|-------------------------|--------------------------|
| Firm or Individual name | Joseph V. Tassone |
| Signature | <i>Joseph V. Tassone</i> |
| Date | July 28, 2004 |

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

| | | |
|-----------------------|-----------------------|-----------------------|
| Typed or printed name | Lori L. Kelley | |
| Signature | <i>Lori L. Kelley</i> | Date July 28, 2004 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.